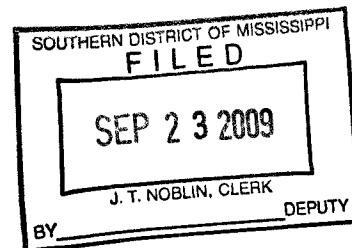


IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
JACKSON DIVISION



RITA MENGUCCI

PLAINTIFF

VS.

CIVIL ACTION NO. 3:09cv577 TSL-JES

BROWN BOTTLING GROUP, INC.

DEFENDANT

**NOTICE OF REMOVAL**

Brown Bottling Group, Inc. ("Defendant") files this Notice of Removal to the United States District Court for the Southern District of Mississippi, Jackson Division, for the reasons stated below:

1. Brown Bottling Group, Inc. is the Defendant in a civil action filed in the Circuit Court of the First Judicial District of Hinds County, Mississippi, Cause No. 251-09-781CIV. This Notice of Removal is filed in the United States District Court for the Southern District of Mississippi, Jackson Division, within the time allowed by law for removal of civil actions as Defendant first received a copy of any pleading in Cause No. 251-09-781CIV on September 21, 2009. The documents attached hereto as Exhibit "A" constitute a true and correct copy of the entire file of Cause No. 251-09-781CIV pending in the Circuit Court of the First Judicial District of Hinds County, Mississippi.
2. The United States District Court for the Southern District of Mississippi, Jackson Division, is the District Court having jurisdiction over the place where the state court action is pending.
3. A copy of this Notice of Removal is being filed with the Clerk of the Circuit Court of the First Judicial District of Hinds County, Mississippi, as required by 28 U.S.C. §1446(d).

4. This Court has subject matter jurisdiction of the entire present action pursuant to 28 U.S.C. Sections 1331 and 1441. Plaintiff has made assertions of violations of 42 U.S.C. § 1981, which creates a federal question as contemplated under 28 U.S.C. Section 1331.

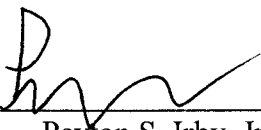
WHEREFORE, Defendant hereby removes this civil action to the United States District Court for the Southern District of Mississippi, Jackson Division.

THIS the 23 day of September, 2009.

Respectfully submitted,

BROWN BOTTLING GROUP, INC.

By Its Attorneys  
WATKINS LUDLAM WINTER & STENNIS, P.A.

By:   
Peyton S. Irby, Jr.

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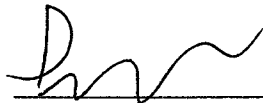
**CERTIFICATE OF SERVICE**

I hereby certify that on this date I mailed, postage prepaid by the United States mail a true and correct copy of the above and forgoing document to the following:

Ermea J. Russell, Esq.  
The Russell Law Firm, PLLC  
P.O. Box 24561  
Jackson, Mississippi 39225

Ms. Barbara Dunn, Clerk  
Hinds County Circuit Court  
Post Office Box 327  
Jackson, Mississippi 39205-0327

THIS the 23 day of September, 2009.



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Peyton S. Irby, Jr.